

Meeting of the Heating Advisory Committee on April 9, 2007

Members present: Kevin Bayley, Omer Beaudoin, Andy Bernier, Steve Dumais, Rob Farley, Bob Ives, Al Little, Bob Lundergan, Kevin Pratt, Lyndon Rickards, Ken Taylor, Bob Wilkins

Jim Fusco of Granite State Trade School presented his gas training programs. The programs were designed to meet the educational requirements of the gas piping, installation technician (natural gas and LP), gas service technician (natural gas and LP) specialty licenses. Each program met the required hours and was designed to stand alone. The programs are classroom only. There will be third party testing.

The committee members reviewed the training materials. Mr. Fusco was asked many questions. The committee voted to recommend that the Fire Marshal approve these training programs. Mr. Fusco was asked to leave a copy of his programs with the Fire Marshal's Office.

Rob Farley allowed the committee to preview a power point presentation of the proposed rules. This presentation will be used to explain the rules to people at pre-public hearings. The first part of the presentation explained HB 1711 and the second part explained the proposed rules. The committee was impressed with Rob's ability to take complex material and explain it clearly. All members of the committee agreed it was an excellent presentation. Rob also said he was making up hand outs for the public that would be the power point presentation. The only suggestion from the committee was to make it clear where HB 1711 ended and the proposed rules began.

The committee members compared the proposed rules that had been through the legal staff with the rules that had been submitted by the committee in November 2006. Some of the concerns were do to moving concepts around, for example previously the concept of approved training programs was listed under each specialty license, now it is only mentioned once under Saf-C 8003.04. Fire Marshal Degnan was able to join the committee briefly between meetings.

The committee reviewed the proposed rules and suggested the following changes.

1 Saf-C 8003.04 Testing.

a Interpret this section to mean a person applying for a license who holds a certification from an approved training program, would not have to take the NFPA`54 test, as this was covered in their program.

b Lower the passing grade to 70%, because some training programs accept 70% others accept 72%. Thus it would be difficult to determine which people were certified with a grade of 75% or higher. Thus we suggest lowering the grade to the NFPA 54 test, so all applicants are held to the same standard.

2 Saf-C 8003.05 Existing Technicians.

a The committee discussed whether existing technicians should be given the option of completing an 8 hour NFPA 54 class or pass an approved NFPA 54 test. The committee decided to recommend to the Fire Marshal that all existing technicians, prior to their first renewal be required to pass an open book NFPA 54 test. The members of the committee felt that sitting through a course is no guarantee that a person learned anything. They also felt that any one working as a gas technician should be familiar with NFPA 54, and use it to make sure their work meets code (is safe). Anything less would betray the intent of HB 1711.

b That the prior to date they have engaged in gas fitting be changed to the effective date of the rules, and the two year window be kept. Therefore this option would expire two years from the effective date of the rules.

c Reword section a 1 to read An affidavit, signed by the technician and notarized.

3 Add a new section on field experience. Since this applies to all specialty licenses that are for a specific fuel I am unsure if this should be listed under the licenses or in a section of 8003. The new section should read “Field experience for natural gas and propane may run concurrently. Experience must be documented by a signed and notarized affidavit.”

4 For all specialty licenses change the reference number in section c 1 from “By successful completion of a formal educational program of at least ___ hours approved pursuant to Saf-C 8008 (change to 8010).

5 Saf-C 8004.01 b, 8004.02 b, and 8004.03 b all read “To qualify for a (name of specialty license).” While Saf-C 8004.04 b, 8004.05 b, and 8004.06 b all read “An applicant for (name of specialty license).” The committee suggested that they should all use the same language.

6 Saf-C 8004.04 b 2, and Saf-C 8004.05 b 2 Change 5000 hours to 4000 hours. (The additional hours required of a technician holding an installation license remain as 2000 hours.)

7 Saf-C 8009.01 Fees. The fee for a trainee license should be \$50.

Some concepts remained unclear and will require clarification by the Fire Marshal.

1 Saf-C 8003.04 Will new applicants be allowed to demonstrate completion of the educational requirements for a specialty license by the equivalency testing option, instead of taking an approved training course. Some of these tests have already been developed or are in the development stage through a series of workshops that NATE put on.

Some concepts will require more work to put into practice.

1 Saf-C 8007 Reciprocity. The committee members recognize a lot more work needs to be done to create a matrix to see which of the licenses of the surrounding New England states are equivalent to which of the proposed specialty licenses.

Bruce Buttrick submitted some recommended changes to the proposed rules. The committee agreed to forward them without comment to the Fire Marshal. Here are his recommendations.

4-09-07

To the Heating Advisory Committee

Some editorial comments:

Saf-C 8002.04 please use “fuel” gas as a definition. Best to use the definition from NFPA 54-1.1.1.1.

May want to consider reference about other applicable codes pertaining to fuel gas installations, such as International Residential Code Chapter 24- Fuel Gas Code provisions as well as NPFA 54.

Saf-C 8001.02 (b) (1)

Should use the complete text from the RSA as if clarifies that the individual being exempted must also use as primary residence: “329-B:10 Exception. The license or registration requirements of this chapter shall not apply to anyone who performs fuel gas fitting within an existing structure owned or occupied by the person who performs the fuel gas fitting work, **and such structure is used as the individual’s primary residence.** Notwithstanding any provision to the contrary, any person who is exempt under this chapter must perform fuel gas fitting work in accordance with applicable technical standards, and comply with any applicable code, application and inspection requirements that may apply to the fuel gas fitting work performed.

Saf-C 8003.01 (a)

Further define “work” as: installation of _____ and service of _____.

Saf-C 8003.02;

Does this mean that the Supervisor shall hold the specialty license?

Saf-C 8003.05 (a) (1) b.;

This needs further definition as to “educational training”.

Saf-C 8008.01;

Is it necessary for the Department to mail out reminders? This could be very expensive: just for stamps alone 8,000 licensee @ .42= \$3,360.

Saf-C 8009.02 (b).

Is this \$50 fee per additional specialty license.

There should be a section for **non compliance of a noted violation**, for instance when a licensee goes to service an appliance and notes that something is out of code compliance ie: (combustion air provisions, clearances to combustibles, or vent etc) yet the owner refuses to do anything about it. I would suggest a notice (form) that the licensee fills out and sends to the F.M.O. thus relieving the licensee from any negligence claim from the owner.

Bruce Buttrick

Mechanical Inspector
City of Nashua

Mr. Buttrick also submitted the following

4-09-07

To the Heating Advisory Committee

From the **Plumbers, Fuel Gas Fitters, and HVAC Assoc. of NH:**

If a “company” hires 20 or so gas fitters, Who holds any liability if the State of NH is only holding the person doing the work liable. So will this mean that all employees will need to have insurance? Will a corporation be able to now cancel its insurance for LP and natural gas insurance?

Additional questions from Bruce Buttrick:

4-11-07

Question(s) for Heating Advisory Committee

RE: licensing

1. Would the individual relining a chimney that is being used for gas utilization equipment need to be Hearth system specialty licensed?
2. Would a mason building a chimney that will be used for gas utilization equipment need to be licensed?
3. Would the installer of a supplemental chimney (ie: Z-FLEX) liner system need to be licensed as a hearth systems?

Bruce Buttrick